

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

R6-1-1000. Regional Judicial Functions

1. AUTHORITY. To perform all the duties and functions of the Regional Administrator as set forth in 40 CFR 22, including the power to act with the authority of the Regional Administrator in any proceeding brought pursuant to those regulations and to exercise any of the powers assigned the Regional Administrator in regard thereto, except that authority to issue final orders is not delegated; to prepare recommended decisions on appeals and similar requests to the Regional Administrator. This delegation is made pursuant to the EPA's Consolidated Rules of Practice, 40 CFR 22.04(b).

2. TO WHOM DELEGATED. Regional Judicial Officer.

3. LIMITATIONS.

a. The authority of the Regional Administrator on approval of informal settlements and consent agreements pursuant to 40 CFR 168.35 is not hereby delegated.

b. The authority is to be exercised within the territorial limits of Region 6.

c. The authority to appoint Presiding Officers is limited by the provisions of the 40 CFR 22.04(b)(2).

d. This delegation shall not preclude the Regional Judicial Officer from referring any motion or case to the Regional Administrator when such referral is appropriate. 40 CFR 22.04(b)(3).

4. REDELEGATION AUTHORITY. This authority may not be redelegated.

5. ADDITIONAL REFERENCES. 40 CFR 22.03, 22.04(b), 40 CFR 28; 40 CFR 142.210 et seq. and Clean Water Act guidance (August 28, 1987) and the Safe Drinking Water Act guidance (November 28, 1986); Section 16 of the Toxic Substances Control Act; Sections 211 and 113 of the Clean Air Act; Section 214(a) of the Federal Insecticide, Fungicide and Rodenticide Act; Section 105 of the Marine Protection Research and Sanctuaries Act and Section 3008 of the Solid Waste Disposal Act.

Delegation of Authority from the
Regional Administrator